

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:08-cv-02061-EGS**

BIOGEN IDEC INC. v. DUDAS
Assigned to: Judge Emmet G. Sullivan
Cause: 05:702 Administrative Procedure Act

Date Filed: 12/01/2008
Date Terminated: 03/24/2010
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government
Defendant

Date Filed	#	Docket Text
03/24/2010		MINUTE ORDER. Upon consideration of the parties' <u>10</u> Joint Motion to Lift Stay and Remand, the Court hereby REMANDS this action to the United States Patent and Trademark Office ("USPTO") for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit in Wyeth & Elan Pharma International Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010), and consistent with the USPTO's published interim procedure for such calculations. In view of this remand, plaintiff's action is hereby DISMISSED without prejudice subject to a motion for reconsideration for good cause shown upon completion of the agency's recalculation and adjustment on remand. Signed by Judge Emmet G. Sullivan on March 24, 2010. (lcegs1) (Entered: 03/24/2010)